

wherein m and n have values of 1 to 99 and 99 to 1 respectively.

BA Sub 11
Cont'd
Please add new claim 28 as follows:

28. The creping adhesive of claim 27 wherein m and n have values of 1 to 99 and 2 to 20 respectively.

REMARKS

It is applicant's position that the preliminary amendment is fully supported by the specification and the original claims. The unique feature of Applicants' creping adhesives is that they are formed on the drying surface utilizing an interchange between the amine moiety of the organic polymer and the carbon containing moiety of the zirconium crosslinking agent. None of the references relied upon by the Examiner in the Office Action of the parent application can form useful creping adhesive on the drying surface.

Creping adhesives are adhesives which perform their function at the Yankee surface. They facilitate the smooth removal of the sheet from the Yankee surface prior to creping by the doctor blade. Unsuitable creping adhesives adhere to the Yankee surface and damaged the creped paper. Without the creping adhesive, the paper web may not be smoothly removed from the Yankee surface with the result that the creped product does not have the high uniform standards required for commercial use. Obtaining and maintaining adhesion of absorbent paper products to the Yankee dryer is a critical factor in determining crepe quality. Inadequate adhesion results in poor or nonexistent creping whereas excessive adhesion may result in poor sheet quality and paper manufacturing operational difficulties such as producing commercially unacceptable products which

then as broke have to be transferred back to the wet end of the paper manufacturing operation. It should be noted that the adhesive in combination with cellulosic fibrous web has a low "friction." If this were not so, the web could not be easily removed from the Yankee surface.

In the prior applications, the claims were rejected under 35 U.S.C. 103 as obvious over Smigo U.S. Patent No. 5,232,553 in view of Hollenberg et al. U.S. Patent No.

5,246,544. As stated in the Rule 132 declaration made by Phuong Van Luu, one of the inventors, none of the references are enabling to support a 35 U.S.C. 103 rejection. The Smigo reference discloses certain combinations of polyvinylamides suitable for reducing fibers in the papermaking process. The Smigo reference is specifically directed to retaining fibers from recycle waste papers. The Hollenberg et al. U.S. Patent No. 5,246,544 discloses a preparation of an adhesive from polymers not containing amine moieties. In the Hollenberg et al. reference of record, the adhesive is prepared prior to its application on a dryer. The amine containing moiety is neither disclosed nor suggested by the Hollenberg reference of record. As stated in Phuong Van Luu's Declaration, the slowly reacting chemicals such as polyvinyl alcohol are needed in the Hollenberg process prior to the application of the adhesive to the dryer surface. Phuong Van Luu states that the creping adhesives of this invention when prepared prior to charging the components to the dryer surface would gel and be unusable as creping adhesive.

It is the Applicants' position that the two references of record in Serial No. 08/9443,941 filed on May 18, 1995, and the parent application of the continuation in part application Serial No. 08/955,733 filed on October 22, 1997, of which this application is a divisional application do not render the remaining claims in this application obvious

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within the meaning of 35 U.S.C. 103. There is no suggestion in any of the cited references that the Smigo patent is enabling to support a 35 U.S.C. 103 rejection in light of the Hollenberg reference. Neither reference suggests that creping adhesives can be formed on the drying surface.

With respect to the claims which include nitrogen softener, Phuong Van Luu states in the Declaration that Hollenberg et al. U.S. Patent No. 5,246,544 is unable to support a 35 U.S.C. 103 rejection since nitrogen containing softeners were not utilized in Hollenberg in connection with the adhesive. The usual prior art adhesive does not tolerate a combination of the adhesive and softener on the drying surface or Yankee surface. The ability of the novel adhesives of this invention formed on the drying surface to tolerate softeners on the same drying surface further supports the patentability of the remaining claims over the Smigo and Hollenberg U.S. patents.

With respect to a 35 U.S.C. 103 rejection, the Examiner is reminded that the desirability of a proposed combination should be suggested by the references; In re Begel et al. 130 U.S.P. 106 (C.P.A. 1961). Furthermore, it is respectfully pointed out that it is not within the framework of Section 103 for the Examiner to pick and choose from the relevant art only as much as will support a holding of obviousness, to the exclusion of other parts of a cited disclosure necessary to the full appreciation of what the prior art suggests to one skilled in the art, In re Wesslau 147 U.S.P. 391 (C.C.P.A. 1965). The issue of patentability must be approached in terms of what would have been obvious to one skilled in the art at the time the invention was made in view of the sum of all the relevant teachings in the art, In re Kuderna et al. 165 U.S.P. 575 (C.C.P.A. 1970).

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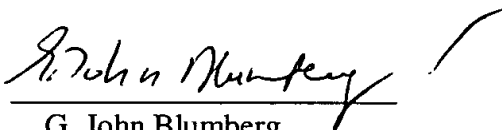
It is the Applicants' position that all the claims are allowable over the cited references of record in the parent application, Serial No. 08/443,941, and such action is respectfully solicited.

If the Examiner has any questions, please contact the undersigned attorney of record and if there are any other fees due in connection with the filing of this application, please charge the fees to our Deposit Account No. 10-0235.

Respectfully submitted,

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